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EXAMINER

KANG, PAUL H

ART UNIT

PAPER NUMBER

2142

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15

Please find below and/or attached an Office communication concerning this application or proceeding.

PD

**Office Action Summary**

Application No.

09/590,502

Applicant(s)

PICCIONI, ROBERT L. 

Examiner

Paul H Kang

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 20 December 2002.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-12, 14, 15 and 17-22 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-12, 14, 15 and 17-22 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☒ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                          | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) <u>14</u> . | 6) <input type="checkbox"/> Other: _____.                                   |

### DETAILED ACTION

1. Claims 13 and 16 have been cancelled. Claims 21-22 have been newly added. Claims 1-12, 14-15 and 17-22 are now pending.
2. Claim 22 is objected to because of the following informalities: "a statute" is misspelled as "a statue" in line 2. Appropriate correction is required.
3. The following is a quotation of the second paragraph of 35 U.S.C. 112:  

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.
4. Claims 1, 4, 12, 14, 15, 17, 19 and 20 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.
5. Claim 1 recites the limitations "the event" in line 4, "the emergency event" in lines 7 and 8, and "the profile" in line 11. Claim 20 recites the limitations "the event" in lines 6, 9 and 10 and "the profile" in line 13. Claims 4 and 12 also recite the limitations "the event" and "the emergency event," respectively, in line 4, and lines 4 and 5. There are insufficient antecedent basis for these limitations in the claims.

In order to advance prosecution of this patent application, both "the event" and "the emergency event" will be interpreted as "the public safety event." Additionally, "the profile" will be interpreted as "the subscriber profile."

6. Claim 17 recites the limitations “the event” in line 5 and “the profile” in line 11. Similarly, Claim 19 recites the limitation “the event” in lines 2-3. There are insufficient antecedent basis for these limitations in the claims.

In order to advance prosecution of this patent application, “the event” will be interpreted as “the crime event” and “the profile” will be interpreted as “the subscriber profile.”

7. Claims 14 and 15 recite “a method for situation tracking according to Claim 13.” Claim 13, however, was previously cancelled. Therefore, there is insufficient antecedent basis for the limitations found in Claims 14 and 15.

In order to advance prosecution of this patent application, Claims 14 and 15 will be considered as being dependent from claim 1.

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8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

9. Claims 1-5, 7-12, 14-15 and 20-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Brown, US Pat. No. 6,173,284 B1, in view of Langsenkamp et al., US Pat. No. 5,912,947.

10. As to claims 1 and 20, Brown teaches the invention substantially as claimed. Brown teaches a system and method for situation tracking comprising:

a computer readable storage medium (Brown, col. 2, line 37 – col. 3, line 34 and col. 5, lines 1-40);

an application stored in the computer readable storage medium and operable to:

receive an alert at a clearing house (a crime event is updated on the police database; Brown, col. 1, line 21 – col. 2, line 10 and col. 12, lines 8-45);

handling a public safety event based on the alert (Brown, col. 5, line 1 – col. 6, line 6);

generate a notification in response to a subscriber profile and the public safety event (Brown, col. 5, line 1 – col. 6, line 6);

determine a destination for the notification based on the subscriber profile (Brown, col. 7, lines 31-63);

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compare at least one criteria element associated with a notify criteria associated with the subscriber profile and at least one event element of the public safety event (Brown, col. 7, line 31 – col. 8, line 49);

determine a match between the notify criteria and the event based on the comparison (Brown, col. 7, line 31 – col. 8, line 49).

However, Brown does not explicitly teach a system and method to determine whether a subscriber associated with the subscriber profile has access to the matched events based on a type associated with the subscriber profile.

In the same field of endeavor, Langsenkamp teaches a public notification system and method wherein a type associated with the subscriber, such as residential subscriber, media, or business, is used to determine subscriber access to the matched events (see Langsenkamp, col. 17, line 64 – col. 18, line 67 and col. 21, line 15-67).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to have incorporated the type dependent access as taught by Langsenkamp, into the emergency notification system of Brown for the purpose of efficiently controlling access and message distribution.

11. As to claim 2, Brown-Langsenkamp teach determining a type associated with the alert at the clearing house and wherein the event comprises a type indication, a location indication, a time indication, a date indication, an access level and event details (Brown, col. 7, lines 7-63).

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12. As to claim 3, Brown-Langsenkamp teach the subscriber profile comprising a notify criteria, the notify criteria comprising a geographical distance around a first location, wherein the event comprises a second location indication and wherein generating a notification comprises determining whether the second location indication is within the geographic distance of the first location (Langsenkamp, col. 12, line 1 – col. 13, line 36 and col. 16, lines 20-51).

13. As to claim 4, Brown-Langsenkamp teach associating at least one information need with the subscriber profile, the information need comprising at least one event related item of interest to the subscriber (Brown, col. 5, line 1 – col. 6, line 6; Sex-offender in a given geographical area; Langsenkamp, col. 7, lines 7-26);

comparing the information need to at least one of the public safety events (Brown, col. 5, line 1 – col. 6, line 6; Langsenkamp, col. 7, lines 7-26 and col. 21, lines 15-67); and

determining at least one notification to be generated in response to a result associated with the comparison (Brown, col. 5, line 1 – col. 6, line 6; Langsenkamp, col. 7, lines 7-26 and col. 21, lines 15-67).

14. As to claim 5, Brown-Langsenkamp teach the result comprising a selected event selected based on the comparison (Brown, col. 5, line 1 – col. 6, line 6; Langsenkamp, col. 7, lines 7-26 and col. 21, lines 15-67).

15. As to claim 7, Brown-Langsenkamp teach generating the at least one notification comprises generating at least one electronic mail message based on the selected event and

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wherein the destination comprises an electronic mail address (Brown, col. 7, lines 7-63 and col. 11, lines 10-29).

16. As to claim 8, Brown-Langsenkamp teach comparing the information need comprising determining whether the subscriber is allowed to access the event (Brown, col. 7, lines 7-30 and Langsenkamp, col. 2, lines 30-56 and col. 17, line 64 – col. 18, line 67).

17. As to claim 9, Brown-Langsenkamp teach handling the event comprises updating the event when the alert is updating an existing event and generating the event when the alert is associated with a new event (Brown, col. 7, line 64 – col. 8, line 18 and col. 12, lines 8-45; Langsenkamp, col. 21, lines 15-37).

18. As to claims 10 and 11, Brown-Langsenkamp teach the subscriber profile comprises a generic profile comprising a media generic profile (Langsenkamp, col. 17, line 64 – col. 18, line 67).

19. As to claim 12, Brown-Langsenkamp teach generating the notification comprises:  
comparing at least one criteria element associated with a notify criteria associated with the subscriber profile and at least one event element of the public safety event (Brown, col. 7, line 7 – col. 8, line 49);

determining a match between the notify criteria and the public safety event based on the comparison (Brown, col. 7, line 7 – col. 8, line 49); and



determining whether a media subscriber associated with the media generic profile has access to the matched events (Brown, col. 7, line 7 – col. 8, line 49; Langsenkamp, col. 2, lines 30-56 and col. 17, line 64 – col. 18, line 67).

20. As to claims 14 and 15, Brown-Langsenkamp teach the criteria element and the event element comprise a type and geographic location associated with the event (Langsenkamp, col. 12, line 1 – col. 13, line 36 and col. 16, lines 20-51).

21. As to claim 21, Brown-Langsenkamp teach the method for situation tracking according to claim 1, and further comprising:

inspecting the alert based on the criteria element at a server, determining a related alert based on the criteria element, the related alert being related to the alert, adding information from the related alert to the alert (a data entry, or alert, is received at the database. Upon receipt, it is determined whether the alert is an update, therefore related to another preexisting alert, or a new alert. If the alert is an update, this information is added to the existing alert; see Langsenkamp, col. 21, lines 15-37); and

forwarding the alert to the clearing house from the server (The new alert is transferred to the Hardware/Software Interface 50 for processing; Langsenkamp, col. 21, lines 15-67).

22. As to claim 22, Brown-Langsenkamp teach the method for situation tracking according to claim 1, and further comprising expiring the public safety event based on a statute of limitation

(Brown, col. 7, line 64 – col. 8, line 18).

23. Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Brown-Langsenkamp, as applied above, further in view of Hunt et al., US Pat. No. 5,893,091.

24. As to claim 6, Brown-Langsenkamp teach the invention substantially as claimed. However, Brown-Langsenkamp do not explicitly teach generating the at least one notification comprising generating at least a portion of one web page based on the selected event and wherein the destination comprises a web site.

In the analogous field of networked notification systems, Hunt teaches implementing websites to post notification to users (Hunt, col. 9, line 11 – col. 10, line 14).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to have incorporated the use of web pages to notify subscribers, as taught by Hunt, into the system of Brown-Langsenkamp for the purpose of increasing notification delivery efficiency and enhancing delivery options.

25. Claims 17-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Brown, US Pat. No. 6,173,284 B1, in view of Langsenkamp et al., US Pat. No. 5,912,947, and further in view of Colgan, US Pat. No. 5,510,978.

26. As to claim 17, Brown teaches the invention substantially as claimed. Brown teaches a method for crime tracking comprising:

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communicating an alert to a server (Brown, col. 1, line 21 – col. 2, line 10 and col. 12, lines 8-45);

handling a crime event associated with the alert at the server (Brown, col. 5, line 1 – col. 6, line 6);

generating a notification in response to a subscriber profile and the crime event (Brown, col. 5, line 1 – col. 6, line 6);

comparing at least one criteria element associated with a notify criteria associated with the subscriber profile and at least one event element of the crime event (Brown, col. 7, line 31 – col. 8, line 49);

determining a match between the notify criteria and the crime event based on the comparison (Brown, col. 7, line 31 – col. 8, line 49).

However, Brown does not explicitly teach a system and method to determine whether a subscriber associated with the subscriber profile has access to the matched events based on a type associated with the subscriber profile.

In the same field of endeavor, Langsenkamp teaches a public notification system and method wherein a type associated with the subscriber, such as residential subscriber, media, or business, is used to determine subscriber access to the matched events (see Langsenkamp, col. 17, line 64 – col. 18, line 67 and col. 21, line 15-67).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to have incorporated the type dependent access as taught by Langsenkamp, into the emergency notification system of Brown for the purpose of efficiently controlling access and message distribution.

Further, while Brown-Langsenkamp teach bi-directional communication between a remote device associated with a police vehicle and a server, Brown-Langsenkamp do not explicitly teach generating an alert from the mobile device associated with the law enforcement vehicle. In the same field of endeavor, Colgan teaches generating an alert from a remote device to update a police databases (Colgan, See Background and Summary, col. 1, line 15 – col. 3, line 42).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to have incorporated the police database updating method, as taught by Colgan, into the system of Brown-Langsenkamp for the purpose of increasing the timeliness and accuracy of database updates.

27. As to claim 18, Brown-Langsenkamp-Colgan teaches the method for crime tracking according to claim 17, wherein the alert comprises a type indication, a location indication, a time indication, a date indication and a payload (Brown, col. 7, lines 7-63).

28. As to claim 19, Brown-Langsenkamp-Colgan teaches the method for crime tracking according to claim 17, wherein the criteria element and the crime event element comprise a geographic location associated with the crime event (Langsenkamp, col. 12, line 1 – col. 13, line 36).

*Response to Arguments*

29. Applicant's arguments with respect to claims 1-22 have been considered but are moot in view of the new ground(s) of rejection.

The Applicant argued in substance that the prior art of record failed to teach a system and method of situation tracking comprising “determining whether a subscriber associated with the subscriber profile has access to the matched events based on a type associated with the subscriber profile has access to the matched events based on a type associated with the profile” and “wherein the generic profile comprises a media generic profile,” and the newly added limitations “adding information from the related alert to the alert.” The new grounds of rejection teaches these features.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Paul H Kang whose telephone number is (703) 308-6123. The examiner can normally be reached on 9 hour flex. First Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mark Powell can be reached on (703) 305-9703. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 746-7239 for regular communications and (703) 746-7238 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

  
Paul H Kang  
Examiner  
Art Unit 2142

C:\...\09590502\15. Non-Final Rejection

March 17, 2003